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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,558	11/21/2001	Sung-Ho Choi	678-774 (P9992)	2537

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EXAMINER
SHEW, JOHN

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/990,558	CHOI ET AL.
	Examiner	Art Unit
	John L. Shew	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>2/23/2006</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-12</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3-6,8 and 9</u> is/are rejected.

7)☒ Claim(s) <u>2,7 and 10-12</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>21 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All　b)☐ Some *　c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 4, 5, 6, 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rune et al. (Pub. No. 2002/0025815) in view of Choi et al. (Patent No. US 6963540

B2).

Claim 1, Rune teaches a method for setting a common channel for a packet data

service by a SRNC (Serving Radio Network Controller) (FIG. 1A, Abstract lines 1-6)

referenced by the Core Network Service Nodes including a SRNC assigning a C-Radio

Network Temporary Identifier to a common channel, to a UE (User Equipment) (page 3

paragraph [0026]) referenced by the second mode wherein the SRNC assigns the cell

involving the UE and the C-RNTI in the assigned cell, through a Node B and a DRNC

(Drift Radio Network Controller) (FIG. 1B, page 5 paragraph [0050]) referenced by the

communication of the SRNC through the DRNC 26_2 via the Base Station 28_{2-2} to the UE

30, when the UE is handed over from a first Node B to a second Node B as the UE

moves to the second Node B (FIG. 1A, page 3 paragraph [0029], FIG. 1B, page 3

paragraph [0030]) referenced by the handover of the UE 30 connection from the first .

node BS 28_{1-1} to second node BS 28_{2-2}, in a mobile communication system including

the UE (FIG. 1A, page 1 paragraph [0004]) referenced by the mobile user equipment

units communicating via a radio access network, the first Node B providing the packet .

data service to the UE (FIG. 1, page 4 paragraphs [0040]-[0042], FIG. 1A, page 4

paragraph [0048]) referenced by the BS 28_{1-1} communicating with the UE 30 shown

through broken line 36_{1A} providing packet switched type services of the core network,

the SRNC connected to the first Node B (FIG. 1A) referenced by the SRNC 26_1 in

communication with the BS 28_{1-1}, a CN (Core Network) connected to the SRNC (FIG.

1A) referenced by the Core Network Service Nodes 16 in communication with the

SRNC 26_1, and the DRNC connected the second Node B neighboring the first Node B

(FIG. 1A) referenced by the RNC 26_2 in communication with the second node BS 28_{2-2}

which neighbors the first node BS 28_{1-1}, and also connected to the SRNC (FIG. 1B)

referenced by the SRNC 26_1 in communication with the second node BS 28_{2-2} via the

DRNC 26_2, the method comprising the steps of transmitting service parameters for the

packet data service to the DRNC (FIG. 1B, FIG. 3, FIG. 4C-2, page 7 paragraph [0063])

referenced by the SRNC 26_1 transmission of REQUEST message 3-3 including

parameters C-RNTI Cell Identity and Radio Resources to the DRNC 26_2, and

transmitting information on the determined common channel to the UE through the

DRNC and the second Node B to allocate the determined common channel to the UE

(FIG. 1B, FIG. 3) reference by the REQUEST message 3-3 to the UE via the DRNC wherein the message request the UE to switch to Common Channel. Rune does not teach transmitting bit rate information to the DRNC nor receiving information on a common channel determined based on the service parameters from the DRNC. Choi teaches transmitting service parameters including the bit rate information for the packet data service to the DRNC (Fig. 27A, col. 67 lines 31-39) referenced by the UTRAN Transmit Info About MAX Rate Data step 2701, receiving information on a common channel determined based on the service parameters from the DRNC (Fig. 27A, col. 67 lines 56-67, col. 68 lines 1-29) referenced by the Generate Channel Allocation Message at step 2710 by the UTRAN.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the common packet channel assignment method of Choi to the to the mobile system of switching to common channels of Rune for the purpose of Transmitting a message over a common channel in a CDMA communication system as suggested by Choi (col. 6 lines 31-33).

Claim 3, Rune teaches wherein the common channel is one of a common packet channel (CPCH) a random access channel (RACH) and a forward access channel (FACH) (page 1 para. [0010]) referenced by the common transport channels are the common packet channel (CPCH) the random access channel (RACH) and the forward access channel (FACH).

Claim 4, Rune teaches a method for setting a common channel for a packet data

service by a SRNC (Serving Radio Network Controller) (FIG. 1A, Abstract lines 1-6)

referenced by the Core Network Service Nodes including a SRNC assigning a C-Radio

Network Temporary Identifier to a common channel, to a UE (User Equipment) (page 3

paragraph [0026]) referenced by the second mode wherein the SRNC assigns the cell

involving the UE and the C-RNTI in the assigned cell, through a Node B and a DRNC

(Drift Radio Network Controller) (FIG. 1B, page 5 paragraph [0050]) referenced by the

communication of the SRNC through the DRNC 26_2 via the Base Station $28_{2\text{-}2}$ to the UE

30, when the UE is handed over from a first Node B to a second Node B as the UE

moves to the second Node B (FIG. 1A, page 3 paragraph [0029], FIG. 1B, page 3

paragraph [0030]) referenced by the handover of the UE 30 connection from the first

node BS $28_{1\text{-}1}$ to second node BS $28_{2\text{-}2}$, in a mobile communication system including

the UE (FIG. 1A, page 1 paragraph [0004]) referenced by the mobile user equipment

units communicating via a radio access network, the first Node B providing the packet

data service to the UE (FIG. 1, page 4 paragraphs [0040]-[0042], FIG. 1A, page 4

paragraph [0048]) referenced by the BS $28_{1\text{-}1}$ communicating with the UE 30 shown

through broken line 36_{1A} providing packet switched type services of the core network,

the SRNC connected to the first Node B (FIG. 1A) referenced by the SRNC 26_1 in

communication with the BS $28_{1\text{-}1}$, a CN (Core Network) connected to the SRNC (FIG.

1A) referenced by the Core Network Service Nodes 16 in communication with the

SRNC 26_1, and the DRNC connected the second Node B neighboring the first Node B

(FIG. 1A) referenced by the RNC 26_2 in communication with the second node BS $28_{2\text{-}2}$

which neighbors the first node BS 28_{1-1}, and also connected to the SRNC (FIG. 1B)

referenced by the SRNC 26_1 in communication with the second node BS 28_{2-2} via the

DRNC 26_2, the method comprising the steps of transmitting service parameters for the

packet data service to the DRNC (FIG. 1B, FIG. 3, FIG. 4C-2, page 7 paragraph [0063])

referenced by the SRNC 26_1 transmission of REQUEST message 3-3 including

parameters C-RNTI Cell Identity and Radio Resources to the DRNC 26_2, using an

RNSAP (Radio Network Subsystem Application Part) message (FIG. 3, page 7

paragraph [0065]) referenced by the use of RNSAP signaling for request/response

messages including 3-1 which carries the parameter information to the DRNC, and

transmitting the determined common channel information to the UE through a radio

resource control message to allocate the determined common channel to the UE (FIG.

1B, FIG. 3, page 6 paragraph [0061]) reference by the REQUEST message 3-3 to the

UE using the RRC protocol specifications wherein the message request the UE to

switch to Common Channel. Rune does not teach receiving information on a common

channel determined based on the service parameters from the DRNC.

Choi teaches receiving information on a common channel determined based on the

service parameters from the DRNC (Fig. 27A, col. 67 lines 56-67, col. 68 lines 1-29)

referenced by the Generate Channel Allocation Message at step 2710 by the UTRAN.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the common packet channel assignment method of Choi to the

to the mobile system of switching to common channels of Rune for the purpose of

Transmitting a message over a common channel in a CDMA communication system as suggested by Choi (col. 6 lines 31-33).

Claim 5, Rune teaches wherein the RNSAP message includes a common transport channel resources request message (FIG. 3, page 7 paragraph [0065]) referenced by the REQUEST message 3-1 which is an extension of the Common Transport Channel Resources procedure of the RNSAP signaling.

Claim 6, Rune teaches wherein the RNSAP response message includes a common transport channel resources response message (FIG. 3, page 7 paragraph [0065]) referenced by the RESPONSE message 3-2 which is an extension of the Common Transport Channel Resources procedure of the RNSAP signaling.

Claim 8, Rune teaches wherein the common channel is one of a common packet channel (CPCH) a random access channel (RACH) and a forward access channel (FACH) (page 1 para. [0010]) referenced by the common transport channels are the common packet channel (CPCH) the random access channel (RACH) and the forward access channel (FACH).

Claim 9, Rune teaches a method for setting a common channel for a packet data service by a SRNC (Serving Radio Network Controller) (FIG. 1A, Abstract lines 1-6) referenced by the Core Network Service Nodes including a SRNC assigning a C-Radio

Network Temporary Identifier to a common channel, to a UE (User Equipment) (page 3

paragraph [0026]) referenced by the second mode wherein the SRNC assigns the cell

involving the UE and the C-RNTI in the assigned cell, through a Node B and a DRNC

(Drift Radio Network Controller) (FIG. 1B, page 5 paragraph [0050]) referenced by the

communication of the SRNC through the DRNC 26_2 via the Base Station 28_{2-2} to the UE

30, when the UE is handed over from a first Node B to a second Node B as the UE

moves to the second Node B (FIG. 1A, page 3 paragraph [0029], FIG. 1B, page 3

paragraph [0030]) referenced by the handover of the UE 30 connection from the first

node BS 28_{1-1} to second node BS 28_{2-2}, in a mobile communication system including

the UE (FIG. 1A, page 1 paragraph [0004]) referenced by the mobile user equipment

units communicating via a radio access network, the first Node B providing the packet

data service to the UE (FIG. 1, page 4 paragraphs [0040]-[0042], FIG. 1A, page 4

paragraph [0048]) referenced by the BS 28_{1-1} communicating with the UE 30 shown

through broken line 36_{1A} providing packet switched type services of the core network,

the SRNC connected to the first Node B (FIG. 1A) referenced by the SRNC 26_1 in

communication with the BS 28_{1-1}, a CN (Core Network) connected to the SRNC (FIG.

1A) referenced by the Core Network Service Nodes 16 in communication with the

SRNC 26_1, and the DRNC connected the second Node B neighboring the first Node B

(FIG. 1A) referenced by the RNC 26_2 in communication with the second node BS 28_{2-2}

which neighbors the first node BS 28_{1-1}, and also connected to the SRNC (FIG. 1B)

referenced by the SRNC 26_1 in communication with the second node BS 28_{2-2} via the

DRNC 26_2, the method comprising the steps of determining service parameters for the

packet data service (FIG. 1B, FIG. 3, FIG. 4A, page 6 paragraph [0058]) referenced by the SRNC 26_1 transmission of REQUEST message 3-1 including parameters D-RNTI and Cell Identity to the DRNC 26_2 to obtain radio resources information, determining a type of a common channel for transmitting packet data according to the determined service parameters (page 1 paragraph [0010], page 8 paragraph [0072]) referenced by the different types of common channels including RACH FACH CPCH DSCH and the specific channel resources to be utilized by the connection in the assigned cell, and then transmitting the determined service parameters and the determined common channel type to the DRNC (FIG. 1B, FIG. 3, page 6 paragraph [0061]) referenced by the REQUEST message 3-3 to the UE using the RRC protocol specifications wherein the message request the UE to switch to Common Channel and the message is sent via the DRNC, receiving information on the common channel determined based on the service parameters and the common channel type from the DRNC, receiving information on a common channel determined based on the service parameters and the common channel type from the DRNC (FIG. 3, page 7 paragraphs [0065]-[0067]) referenced by steps 100-3 and 100-4 wherein the parameters C-RNTI and radio resource are used to determine if the UE is to switch to Common Channel, and transmitting the received common channel information to the UE through the DRNC and the second Node B to allocate the determined common channel to the UE (FIG. 1B, FIG. 3) reference by the REQUEST message 3-3 to the UE via the DRNC wherein the message request the UE to switch to Common Channel. Rune does not teach bit rate information. . Rune does not teach bit rate information.

Choi teaches transmitting service parameters including the bit rate information for the
packet data service to the DRNC (Fig. 27A, col. 67 lines 31-39) referenced by the
UTRAN Transmit Info About MAX Rate Data step 2701, receiving information on a
common channel determined based on the service parameters from the DRNC (Fig.
27A, col. 67 lines 56-67, col. 68 lines 1-29) referenced by the Generate Channel
Allocation Message at step 2710 by the UTRAN.

It would have been obvious to one of ordinary skill in the art at the time the invention
was made to incorporate the common packet channel assignment method of Choi to the
to the mobile system of switching to common channels of Rune for the purpose of
Transmitting a message over a common channel in a CDMA communication system as
suggested by Choi (col. 6 lines 31-33).

Allowable Subject Matter

2.   Claims 2, 7, 10, 11, 12 are objected to as being dependent upon a rejected base
claim, but would be allowable if rewritten in independent form including all of the
limitations of the base claim and any intervening claims.

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 4, 9 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Shew whose telephone number is 571-272-3137. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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